

Work Session held by the Town Board, Town of Yorktown on February 13, 2007. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights.

Present: Linda G. Cooper, Supervisor
James Martorano, Councilman
Nicholas Bianco, Councilman
Matthew Metz, Councilman
Louis Campisi, Councilman

Absent:

CLOSED SESSION

At 6:00 P.M., Councilman Campisi moved, seconded by Councilman Metz, to move into Executive Session to discuss the employment of a particular persons.

Councilman Campisi moved, seconded by Councilman Metz to move out of Executive Session and proceed with the Work Session.

WORK SESSION

Supervisor Linda Cooper called the meeting to order. Deputy Town Clerk Diana L. Quast and Town Attorney Kevin Sweeny were also present.

SETTLEMENT AGREEMENT & GENERAL RELEASE
LIEUTENANT DONALD SCHUCK - POLICE DEPARTMENT
RESOLUTION #77

Upon motion made by Councilman Martorano, seconded by Councilman Bianco,

BE IT RESOLVED, that the Town Board accepts and approves the Settlement Agreement dated February 13, 2007 between Lieutenant Donald Schuck and the Town of Yorktown. The Supervisor is authorized and directed to sign said Settlement Agreement on behalf of the Town.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted.

DISABILITY RETIREMENT
STEPHEN BOYLAN - POLICE DEPARTMENT
RESOLUTION #78

Upon motion made by Councilman Martorano, seconded by Councilman Bianco,

WHEREAS, the Town of Yorktown was advised by letter dated February 8, 2007 that Town employee Stephen Boylan has been granted a disability retirement by the New York State and Local Retirement System and;

WHEREAS, the Town has been directed by the Retirement System to remove Mr. Boylan from the Town payroll;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby ratifies and approves the removal of Stephen Boylan from the payroll of the Town effective at the at the close of business on February 13, 2007.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted.

RESIGNATION FOR RETIREMENT PURPOSES
WILLIAM MARKS - HIGHWAY DEPARTMENT
RESOLUTION #79

Upon motion made by Councilman Martorano, seconded by Councilman Bianco,

BE IT RESOLVED, that the Town Board hereby accepts the resignation of William Marks dated January 30, 2007 for purposes of retirement to be effective on March 30, 2007.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted.

RESIGNATION FOR RETIREMENT PURPOSES
OLIVER REILLY - DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
RESOLUTION #80

Upon motion made by Councilman Martorano, seconded by Councilman Bianco,

BE IT RESOLVED, that the Town Board hereby accepts the resignation of Oliver Reilly dated January 31, 2007 for purposes of retirement to be effective at the close of business on March 22, 2007.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted.

CONSERVATION EASEMENT AGREEMENT
GORAN JOHN NIKIC AND DONNA NIKIC
RESOLUTION #81

Upon motion made by Councilman Martorano, seconded by Councilman Bianco,

WHEREAS, the Goran John Nikic and Donna Nikic are offering the Town of Yorktown a Conservation Easement as a condition of a wetlands permit approval previously granted; and

WHEREAS, a survey and description reflecting the perimeters of the Conservation Easement have been prepared and submitted as a schedule attached to the easement; be it

HEREBY RESOLVED, that by order of this Board, that the Supervisor is authorized and directed to sign the Conservation Easement agreement and accept it on behalf of the town of Yorktown.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted.

FLOOD PLAIN MAPS

Building Inspector William Gregory was present to discuss with the Board the new flood plain maps issued by FEMA. Mr. Gregory explained that FEMA has issued new Flood Maps and include more areas. Flood zones are areas that are not necessarily wetlands. These maps need to be finalized in ninety (90) days and the Town Board must pass a resolution to adopt them in six (6) months. FEMA Flood Zone Maps are currently located in the Engineering Department.

REQUEST TO REPLACE RETAINING WALL AROUND POND - 671 GARTH COURT

Rich Bozentko was present to discuss with the Board his request to replace a retaining wall around a pond that was destroyed during Hurricane Floyd. Highway Superintendent Eric DiBartolo stated that he had an alternate plan to fix this problem. He will install a thirty (30) inch pipe and rebuild the wall. More extensive work could be done but that would require more funds.

REQUEST FOR A UTILITY EASEMENT 563 UNDERHILL AVENUE

Bob Moss was present to discuss with the Board his request to access Town property located on Underhill Avenue. He explained that he would like to build a house on his property located at 563 Underhill Avenue but cannot gain access from Underhill Avenue and would like to see if the Town would grant him an easement over their property located off Darby Lane which currently houses a water tank. The Town Board felt that this property should be kept as secure as possible and that allowing any easement onto the property would make the area less secure.

WATER DEPARTMENT UPDATE

NWJWW Water Superintendent Jeff Wynans and Water Department Assistant Superintendent Brad Lewis were present to give the Board and update on Water Department issues. The Board discussed fees for properties located in and out of the Yorktown Consolidated Water District. Town Attorney Kevin Sweeny explained that the Board should have drafted legislation that will standardize the costs associated with buying into the Yorktown Consolidated Water District. The Board agreed and the Town Attorney will draft legislation with regards to this issue.

WETLAND PERMIT REQUEST

AMATO - 1215 AUDRA COURT

Tanya Amato was present to discuss with the Board her request to build a swimming pool in the wetlands buffer. The Board requested that Ms. Amato look of her Title Report to see if there is any Conservation Easements that would restrict her from building a pool on her property. The Board also asked that if there is no Conservation Easement that Ms. Amato have the property flagged to see where the wetlands are located and how far in the buffer the pool would actually be.

STATE LEGISLATION REQUESTS

The Board opted to support State legislation with regards to insurance coverage for people with alopecia and storm water utilities.

PROPOSED COUNTY LEGISLATION ENDORSEMENTS

The Board opted to not support any proposed County legislation well testing upon transfer or sale, septic testing upon transfer or sale and removal of phosphorus from fertilizer sold in county. The Board noted that this is currently done at the time of closing.

TOWN BOARD MEETING AGENDA

The Board discussed the February 20, 2007 Town Board meeting agenda.

ADJOURN

Councilman Campisi moved, seconded by Councilman Metz to adjourn the Town Board meeting.

Diana L. Quast
Deputy Town Clerk
Town of Yorktown